

APPELLANT'S NOTICE OF APPEAL
Application No. 10/799,820
Paper Dated Feb. 24, 2006
Reply to Final Office Action of Oct. 24, 2005
Attorney Docket No. 4316-043718

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/799,820 Confirmation No. : 8364
Applicant : Marc Joseph Thomas Lebert
Filed : March 12, 2004
Title : **EXERCISE DEVICE AND SYSTEM**
Art Unit : 3764
Examiner : Fenn C. Mathew
Customer No. : 28289

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 24, 2005 of the Primary Examiner finally rejecting claims 1-28.

A check in the amount of \$250.00 is enclosed herewith to cover the cost of filing the Notice of Appeal. A one-month Petition for Extension of Time with the appropriate extension fee is submitted concurrently herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Feb. 24, 2006.

Lisa R. McNary

(Typed Name of Person Mailing Paper)

Lisa R. McNary 02/24/2006
Signature Date

{W0247802.1}

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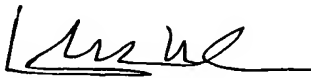
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The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650 or credit any overpayment to Deposit Account No. 23-0650. The original and two copies of this Notice of Appeal are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

By 

Kirk M. Miles

Registration No. 37,891

Attorney for Applicant

700 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219-1845

Telephone: (412) 471-8815

Facsimile: (412) 471-4094

E-mail: webblaw@webblaw.com